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RECORD OF

SOME WORTHY PROCEE-

DINGS:

IN

THE HONOVABLE, WISE, AND
FAITHFULL HOWSE

OF

COMMONS IN THE LATE
Parliament.

Justitia est suum cuiq; tribuere.

1611.

Great Britain: House of Commons

R3114

2.

Contents.

1. *A Preface to true Englishmen.*
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To all true hearted English men
dwelling in their native soile.

Howsoever (my deare country-men) it is mine
hap to abide on this side the seas; yet I cannot
but hearken after the prosperitie of my gracious
Soveraigne, & naturall countrey; especially in the
Parliament time. I am not (indeed) in any such e-
minent place. as where I may be sure to have a
perfect relation of all remarkeable affaires: yet by
my diligent indeavour, I obteyne (in time) more
probable intelligence, than many of you doe. Of
which the love of my countrey compelleth to make
some present use, occasioned by a Publication (for
not one word thereof is in the Kings name) dated
31. December last. Wherein the Worthiest house of
Commons that ever was, is covertly traduced for
spending long time, and great charges, and yet
failing an earnest expectation of a good conclusion
for the Ease, and Freedome of his Maiesties sub-
iects. I could not therefore but indeavour to pre-
vent (as I may) the heart-burning which (I feare)
that publication may occasion between the King
and his Commons, and 2. to make it appeare that
no house of Commons had ever a greater zeale for
the ease & freedome of the subiects than the late
house had. The former, by demonstrating that the
sayd covert imputation is not the Kings, but the
pen-mans. For Whereas Proclamations (in deed)

speake in the first person, as thus, Our subjects ;
 & We are resolved, that publication speaketh in
 the third person thus, His Maiesties subiects; &
 His Maiestie is resolved. Therefore it was not
 penned by his Maiestie. Againe, How can close
 suggesting the said imputation to be cause of dis-
 solving the Parliament agree With that Which is
 expressely said, That his Maiesty, for many good
 considerations knowne to himselfe determined to
 dissolve, &c ? Doth not this shew, that the over
 large preamble of that publication is the pen-
 mans, & onely the body thereof was by the Kings
 direction ? Moreover, In a Proclamation dated
 24. September last, his Majesty findeth faults
 With former proclamations, in regard of their
 penning. Which sheweth, that, When his Majesty
 hath signified his mind touching the substance of a
 proclamation ; he doth not alwayes review the
 penning thereof. Therefore it may be supposed, that
 he did not peruse the penning of the publication.
 So that I think it may be Well concluded, that
 the said imputation is not the Kings, but the
 pen-mans.

As for the Zeale of the commons in parliamene
 for the ease, & freedome of the subjects, let that
 appeare by that Which is here published. Onely I
 suppose it not amisse to remember, that in the se-
 cond session of the late parliament, there passed
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these billes in the house of commons. 1. An act for the better obseruing and keeping holy the Sabbath day, or Sunday. 2. An act against such, as coming to church, doe refuse to receive the sacrament of the Lords supper. 3. An act for the providing of a learned, & godly Ministry. and 4. An act to inable suspended, and deprived Ministers to sue, & prosecute their appeales. I remember these, because that worthy Knight, or burgisse (Whose speech is here recorded) doth not speak of them; Intending (belike) to mention no other billes, but such as passed in the house of commons, in the fourth, that is, the last session of parliament. I say, The last, because the fifth cannot be accompted a session, seeing nothing was concluded therein, the Speaker, sundry mornings before the house met together adjourning the same from day to day, til the parliament was prorogued, & there dissolved. Well, I pray God, that, whensoever we shall haue an other parliament, Counties, Cities and burroughes may not be moved by letters from such common-wealth-men, as the pen-man of the said publication is feared to be, to chuse such Knights and burgisses, as will haue less Zeale for the ease and freedome of the subjects, than had the Knights, and burgisses of the late parliament.

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A memorable speech in the house of Commons.

MR. Speaker, I perceive we are all much troubled by the evill successe which we have had in the great contract concerning tenures and purveiance, after our long travell and much tyme spent therein, and in other causes of good importance: so as many have taken occasiō therby to say of us, that although there was never a more honourable assembly, in the Cōmons howse of Parliament, of godly, wise, and learned men, then at this time, that yet there did never less fruit appeare of their labour to the world, at any time before, then now: which fruitlesse labour if it might be truly imputed unto us, it might worthily grieve vs all. but I hope that in seeking out meanes of redresse, or reliefe in this case, I shall make it appeare to all, that will rightly weigh of the thinges, that if furtherance had been given by others, whom it concerns, to our labours and good indevours, many abuses had been reformed, & much good done to the common wealth of England.

But as it is true, which that great wise Lord, who hath the chief charge of the treasure of the Realme; sayd unto vs at our last meeting with the honourable Lords. of the vpper howse of Parliament, in the paynted chamber at Westm: touching the great contract, viz. that he did well perceive, that we had a great desire to haue effected that great contract, that the Kings maiesty had willingly given his assent to the same, & that yet neverthelesse it proceeded not, wherein he could not finde the impediment, but that God did not blesse it: so is it likewise true of the rest of our proceeding in Parliament, that God hath not blessed the same with good successe, which troubled me at the first, vntill I did further consider of many other parties of the Realme, and many other callings, and societies of the Realme, to whom God

hath given as little blessing, as to the Parliament howse. For it did appeare plainly to vs in this howse, vpon the treatie and examinations of the grieuances of the Church and common wealth, that the Merchants of England who were a calling of very great vse in this Realme, for the wealth, strength, and credit thereof, and as it were the leggs of the common wealth, whereon it goeth, had not received such blessing of late, yea in their merchandizing, as in former times, although they labor asmuch, and adventure asmuch, as in former times they did. And that likewise the clothiers being a trade whereby many thousands subjects are maineyned, although they labour in their calling as much at this time, as ever before they did; doe of late finde so little fruit of their labour, as that many of them are decayed, and many of them have given over that trade to the hinderance of the Realme.

And also the like is fallen to the Marriners, and Shipwrights of this Realme, which number is greatly decayed, and with them the serviceable shippes and shipping very much weakened, which threatneth a decay of the walls, and strength of the Realme, which by good shipping, and good Marriners, is well defended.

And I find also, that God hath not blessed the treasure of the Realme, for it is gone from us, as if God had blown upon it, to turne it out of the land, so as Prince & people want.

And I finde also in the calling of lawyers that there is not the like increase of their labors, as in times past, except it be some fewe favorites; and I thinke that diuers Knights, Citizens, and Burgesse now here present about me, could say the like of diuers sorts of men in their countreyes, cities, and Burroughes, if they list to speak: whereupon I doe assuredly thinke, that for some publike sinns
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of the land, God hath a quarrell to the land, whereby he doth withdrawe his ordinary blessings; which publique sinnes this great Councell of the Realme ought first to seeke out, and as much as in our power to redress the same, that God being thereby reconciled vnto the land, an happy blessing might insue to all the estates thereof: which to effect you shall see what we for our parts have done to obreyne Gods loving countenance to the land, as a shield, by removing the publicke sinnes thereof, which as a thick cloud doth keepe from vs Gods sun-shining grace,

First we did see, and consider, that the precious name of God, which we ought to regard more then our lives, is not by the lawes of England, so tenderly regarded, & preserved, as the name of all sortes of people in the land: For if some euill wordes be vsed against the King it is high treason, for which the offender shall dye. And if some euill words be vsed against noble men, it is punishable by the statute *de Scandalū magnatum*. And that for some euill words vsed by any private person against another, an actiō of the case doth lye, at the common law, to punish the offender, and to recompence the partie wronged. But for abusing the holy name of God, and tearing him in peeces by wicked oathes, there is no punishment by the lawes of the Realme, whereby both men, women, and children increase in that sinne greedously, every day, without punishment or checke: wherefore to prevent that sinne, we did, at two severall sessions of Parliament, make two severall bills, which did passe our howse of Commons, to be made lawes for punishment of such Offenders.

And to take away that crying sinne which doth most provoke God, & most greeve the subjects, viz. the depriving,

priving, disgracing, silencing, disgrading, and imprisoning, such of Gods Messengers (being learned and godly preachers) as he hath furnished with most heavenly graces to call us to true repentance, for no other cause, but for not conforming themselves otherwise than by subscription limited in the statutes made in the 14. yere of the late Queene Elizabeth of famous memory, thereby making the lawes of the Church, and cōmon wealth to iarre: which to reforme we made a lawe for subscription agreeing to the intcut of the foresayd statute, which every wise mā will approue, & willingly subscribe unto, whereby much peace, & unitie would grow in the church & cōmon wealth, & be an occasion that many subiects might be well taught the meanes of their salvation, who now want sufficient knowledge of the word of God to ground their faith upon, +

And to take away another grosse sin, which is made lawfull by act of Parliament, whereby the land is made guiltie thereof, viz. concerning non residents, and pluralitie of benefices, we did passe a bill in the last Sessions of Parliament, & have another bill concerning that offence ready to passe being twice read, and agreed upon at the Cōmittes, whereby we abrogate so much of the statute of the 21. yere of K. Hē. the 8. as did inable non residēt, or the taking of more benefices then one with cure of soules, for by the provisoēs in that Statute, the Kings Chapleines may haue as many benefices, as they can get, without stint, & some others may have 4. benefices with cure at one time, in severall counties, & some two benefices, & yet be resident upon none of them, so long as he attendeth upon his Lord, or Mr. which is a thing intolerable in a Christian common wealth.

And for that some scandalous Ministers of evill life do bring

bring a great slander to all the rest, being many godly & learned preachers, we did make a good law to remove such scandalous Ministers from their place.

And where by the lawes of God, and the lawes of this Realme the ecclesiasticall persons should, in their government, use onely the spirituall sword by exhortation, admonition, and excommunication, which are the keys of the Church to exclude impenitent sinners, & to receive into the Church, the penitent and faithfull persons, and to leave the temporall sword, to the temporall Magistrate, which was alwayes so used in England untill the second yeare of King Hen. 4. at which time the popish Prelates, following the example of the man of sinne at Rome, obtayned a statute without the free consent of the subjects (as is set forth by Mr. Foxe, and in some sort, appeareth by the record of the Towre) by which statute they got the temporall sword into their handes, which statute was since, by severall acts of Parliament, made voide with great disgrace, and yet by colour of that temporall authoritie once, by a short space by them used, some ecclesiasticall persons doe use both swords, to the great grieve, and trouble of the subjects, and with those two swordes, they doe also use the oath ex officio, which began first in England, by that statute of the 2. yere of K. Henry the 4. being contrary to the lawes of England, & (as I verily think) contrary to the lawes of God.

Wherefore we to reforme those great abuses, made 2. good lawes, the one to abridge the force of the ecclesiasticall commission in many pointes: thother to abrogate, and take away the power of ecclesiasticall persons to minister the oath ex officio being a very hatefull thing, and unlawfull.

Andi for that among the Canons, late made by the clergie

clergie of England in their Convocation, it was thought, that some of their canons did extend to charge the bodies, landes, and goods of the subjects of the Realme, further then was lawfull, and meet, we therefore made a good lawe to make voide such Canons, as doe charge the bodies, lands, and goods of the subjects, unlesse that the same Canons were confirmed by Parliament.

And as we had care of the Church, so had we care of the common wealth, touching impositions layd upon the subjects goods, and merchandize, and other thinges, & therefore, after long travel taken by us in searching ancient Records in the Tower of London, & in other places, & after great dispute made herevpon, in open house, by many learned Lawyers, we found it cleare in our opiniõ, that impositions layd upon merchandize, or other goods of the subjects of this Realme, by the Kings Maiesty, without the free consent of the subjects in Parliament was not lawfull, and therefore we did make and passe a bill, by the generall consent of the house of Commons, intended by us all to be a lawe, thereby to declare, that by the lawes of England, no imposition could be lawfully layd vpon goods, or merchandize of the subjects of England, without consent of the subjects in Parliament.

And because that many subjects were greatly troubled by purveyance, and cartaking, notwithstanding the good lawes in that behalf made to restrain the same, a bill was preferred by some member of the house, for reformation of that abuse, at the beginning of the last Sessions of Parliament, which bill, by all likelihood, had long since passed this howse of commons, if the matter of purveyance had not been comprehended in the great contract, which matter of great contract being nowe ended, a new bill concerning purveyance, and cartaking is

in my hands, now presently to be delivered into the house to receive such proceeding therein, as shalbe thought meet.

And touching wardship & reuues, because it is thought a heauie law, and grievous to the subjects, after the death of the father to haue the sonne, & heire within age; taken from the mother and kindred, to be bought and sold, & with the heire also to take all the lands and tenements of the father, that should many times mainteyne both the heire, & the rest of the children, for the onely benefit of the gardian: therefore we made a very large offer to free the land thereof, which we laboured earnestly to effect, but God hath not blessed it, nor brought to good effect any of those good intended lawes above by me mentioned, although we much desired the same, and had done therein as much as perteyned to vs to doe, which if they had been well effected, and passed as lawes and statutes, and that all such grievances, concerning the Church and cōmon wealth, as wee carefully cōmended unto his Ma: in writing (whereof the copies doe remain in this house) had procured such amendemēt of things, as we expected, it had made England so honourable and happy in the government thereof, as ever was kingdome in this world (as I think). And which when the same shalbe well effected, will (as I think) make both King, and subjects more happy, then ever they were. For if all these thinges had so concurred together, as wee wished, and laboured for, what would wee not give to supply the Kings wants, and to support him in a most Roiall, & princely estate. But *rebus sic stantibus*, as is before declared, without reformation of those things, which were by us so earnestly sought, we cannot give much to supplie the Kings wants, because we know

no certainty of that which should remaine to us after our gift, so as, in mine opinion, the good proceeding of this Parliament hath not been hindred by us, which is all I meant to say at this time.

The particulars to be contracted for, in consideration of two hundred thousand pounds, per annum to be paid unto his Majestie.

1. Wardshippes, and tenures, with their particular dependances, shalbe utterly taken away.

2. The maxime, Nullum tempus occurrit regi, shalbe no longer of any effect.

3. All the Kings patents shalbe expounded for the good of the patentee, & according to the true meaning.

4. No forfeiture shalbe taken by the King, or his patentee, for non payment of rent.

5. Any subject shall plead the generall issue (Not guilty) vpon information of intrusion.

6. All penall lawes, and informations shalbe ordered for the best ease of the subject.

7. All maner purveyance taken by prerogative, cart taking, compositions, & commissions therfore, & Præemption (except of time) shalbe utterly taken away, & no clerke of the market shall set price on any victuall, nor any other shall doe the same.

8. All presines, and postfines to be due vpon alienation by fine and recovery, shalbe taken away.

9. Debts shalbe paid to the subjects before any
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advantage be taken, by the King, of forfeitures upon outlaries, or attainders of felons, or traitors.

10. That clause in the statutes of 34. & 35. of Hen. 8. touching alteration of lawes in Wales shalbe repealed.

11. Every subject that hath possessed land by the space of 60. yeares, where the King, in that time, hath not had the possession, or profit thereof, by the space of one yeare, shalbe free from the Kings claime. And, if the King, within that space, hath been seised of any rent, out of the same landes, then that rent onely shall remaine to the King.

12. Old debtes due to the King before tenne yeares last past shalbe forgiven.

13. The King shall expresse the cause of demurrer in pleading against any of his subjects.

14. Fees of all courtes to be payd by the subjects shalbe expressed in a booke in print.

15. All lawes absolute, that are penall, shalbe repealed, and all penall lawes of one nature shalbe reduced to one law.

16. No protection against law shalbe graunted by the King.

17. Any thing doubtfull in any of these articles shalbe explained by our selves.

18. Any other matter, which at our next meeting, we shall conceive to be for ease of the subjects, & shall not detract from the King, in point of soveraignty, or profit shalbe essential in this contract.

To the Kinges most excellent Maieſtie.

MOſt gracious ſoveraigne, whereas we your Maieſties moſt humble ſubjects the cōmons aſſembled in Parliament, have received firſt by meſſage, & ſince by ſpeech, from your Maieſtie a commandement of reſtraint from debating, in Parliament, your Maieſties right of impoſing vpon your ſubjectes goodes exported, or imported out of, or into this Realme, yet allowing vs to examine the grievances of theſe impoſitiōs in regard of the quantitie, tyme, and other circumſtances of diſproportion thereto incident: wee your ſaid humble ſubjectes nothing doubting, but that your Maieſty had no intent, by that commandement, to infringe the ancient, and fundamentall right of the libertie of Parliament, in point of exact diſcuſſing of all matters concerning them, and their poſſeſſions, goods, and rights whatſoever: which yet wee cannot but conceive to be done, in effect, by this commandement, doe with all humble dutie make this remonſtrance to your Maieſty.

Fiſt we holde it an ancient, generall, and vndoubted right of Parliamēt to debate freely all matters, which do properly concerne the ſubject, and his right, or ſtate: which freedome of debate being once forecloſed, the eſſence of the libertie of Parliamēt is with all diſſolved.

And whereas, in this caſe, the ſubjects right on the one ſyde, and your Maieſties prerogative on the other cannot poſſibly be ſeuered in debate of either, we alledge, that your Maieſties prerogatives of that kynd cōcerning directly the ſubjects right, and intereſt, wee dayly handled and diſcuſſed in all courts at Weſtmiſter, and have been ever freely debated, vpon all fit occaſions, but in this, & all former Parliaments without reſtraint. Which
being

being forbidden, it is impossible for the subject either to know, or mainteine his right, & propertie to his owne landes, and goods though neuer so just, and manifest.

It may further please your Most excellent Majesty to vnderstand that wee have no minde to impugné, but a desire to informe ourselves of your highnes prerogative in that point: which if ever, is now most necessary to be knowne. And though it were to no other purpose, yet to satisfie the generality of your Majesties subjects, who finding themselves much grieved by these new Impositions, do languish in much sorrow, and discomfort.

These reasons (dreade soveraigne) being the proper reasons of Parliament) do pleade for the vpholding of this our ancient right and liberty. Howbeit, seing it hath pleased your Majestie to insist vpon that judgement in the Exchequer, as being direction sufficient for us, without further examination, upon great desire of leaving your Ma. vnsatisfied in no one point of our intents, and proceedings, we professé touching that judgement, That we neither doe nor wil take upon us to reverse it: but our desire is to know the reasons whereupon the same was grounded. And the rather, for that a generall conceipt is had, that the reasons of that judgement may be extéded much further, even to the utter ruine of the ancient libertie of this kingdome, and of the subjects right of propertie to haue landes, and goods. Therefore the judgement it self, being the first and the last that ever was given in that kind, for ought appearing unto us, and being onely in one case, and against one man; it can binde in law no other then that person, and is also reversible by writ of error graunted heretofore by act of Parliament. And neither hee, nor any other subject is debarred, by it, from trying his right in the same, or like case,

case, in any of your Majesties Courts of record at Westminster.

Lastly wee nothing doubt, but your intended proceeding, in a full examination of the right, nature, & measure of these new impositions (if this restraint had not come betwene) should have been so orderly, and moderately carried; & so applied to the manifold necessities of these tymes; and given your Majesty to true a view of the state, and right of your subjects, that it would have been much to your Majesties content, and satisfaction (which wee most desire) & removed all cause of feares, and jealousies from the loyall hearts of your subjects, which is (as it ought to be) our carefull indeavour. Whereas contrarywise, in that other way directed by your Majesty, wee cannot safely proceed, without concluding, for ever, the right of the subject: which, without due examination thereof, wee may not doe.

We therefore, your highnes loyall and dutifull commons, not swerving from the approved steps of our ancestors, most humbly and instantly beseech your gracious Majesty, that without offence to the same, we may (according to the undoubted right, and libertie of Parliament) proceed in our intended course of a full examination of these new impositions, that so we may cheerfully pass onto your Majesties busines, from which this stop hath, by diversion, so long withheld vs. And wee your Majesties most humble, faithfull, and loyall subjects, shall ever, according to our bounden dutie, pray for your Majesties long and happie raigne over vs.

Delivered by 20. of the lower howse of
Parliament the 24. of May 1610.

Most

Petitions.

MOst gracious and dread soveraigne, Sith it hath pleased Almighty God, of his unspeakable goodnes & mercie towards us, to call your Majestie to the government of this kingdome, and hath crowned you with supreme power, atwell in the Church, as in the cōmon wealth, for the advancement of his glorie, & the generall benefite of all the subjects of this land, Weo doe with all humilitie present, at the feet of your excellent Ma: our selves, and our desires full of confidence in the assurances of your religious minde, and princely disposition, That you wilbe graciously pleased to give life, and effect to these our petitions greatly tending (as undoubtedly we conceive) to the glorie of God, the good of his Church, & safetie of your most royall person, wherein we acknowledge our greatestt happines to consist.

1. Whereas good and provident lawes have beene made for the maintenance of Gods true religion & safetie of your Majesties most royall person, issue, and estate, against Iesuites, seminarie Priests, and popish recusants. And although your Majestie by your godly learned, and judicious writings have declared your princely, & christian zeale in the defence of the religion established, & have very lately (to the comfort of your best affected subjects) published to both howses of Parliament your princely will and pleasure, that recusants should not be concealed, but detected and convicted: yet for that the lawes are not executed against the Priests, who are the corrupters of the people in religion, and loyaltie, and many Recusants haue already compounded, and (as it is to be feared) more and more (except your Ma: in your great wisdom, prevēt the same) will cōpound with those

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beg their penalties, which maketh the lawes altogether fruitless, or of litle or none effect, & the offenders to become bold, obdurate, and unconformable: Your Majestie therefore would be pleased, at the humble sute of your commons in this present Parliament assembled, in the causes so highly concerning the glorie of God, the preservation of true religion, of your Majestie and state, to suffer your highnes naturall clemencie to retire it self and to giue place unto justice, and to lay your royall command upō al your ministers of justice both ecclesiastical, & civil, to see the lawes made against Iesuites seminarie Priests and Recusants (of what kind and sect soever) to be duely, and exactly executed, without dread, or delay. And that your Majestie would be pleased likewise to take into your owne hands, the penalties due for recusancie, and that the same be not converted to the priuate gain of some, to your infinite losse, the imboldning of the Papists, and decay of true religion.

2. Whereas also divers painfull, and learned Pastors, that haue long traueiled in the work of the Ministerie, with good fruit and blessing of their labours, who were ever ready to perform the legal Subscription appointed by the Statute of 13. Elizab: which onely concerneth the confession of the true Christian faith and doctrine of the Sacraments, yet for not conforming in some points of ceremonies, and refusing the subscription directed by the late Canons, have been removed from their ecclesiastical livings, being their freehold, and debarred from all meanes of maintenance, to the great griefe of sundry your Majesties well affected subjects, seeing the whol people, that want instruction, are by this meanes punished, and through ignorance, lye open to the seducements of popish, and ill affected persons: Wee therefore most humbly

humbly beseech, your Majesty would be graciously pleased, that such deprived, and silenced ministers may by licence, or permissiō of the reverend fathers, in their severall diocesses, instruct, and preach vnto their people in such parishes, and places, where they may be employed: so as they apply themselves, in their Ministry, to wholesome doctrine, and exhortation, and live quietly, and peaceably in their callings, and shall not by writing, or preaching, impugne things established by publick authority.

3. Whereas likewise through pluralitie of benefices, & toleration of non residencie in many, who possess not the meanest livings with cure of soules, the people in diverse places want instruction, and are ignorant, & easy to be seduced, whereby the adversaries of our religiō gaine great advantage, and although the pluralists, and non-residents doe frame excuse of the smalnesse of some livings, and pretende the maintenance of learning, yet we finde by experience that they, coupling many of the greatest livings, doe leave the least helpless, & the best as ill served, & supplied with preachers, as the meanest. And where pluralists heaping vp many livings into one hand, doe by that meanes keep divers learned men frō maintenance to the discouragement of Students, & the hinderance of learning & the non-residents (for seeking, or absenting themselves frō their pastorall charges) doe leave the people, as a prey, vnto the popish Seducers. It might therefore please your most excellent Majestie for remedy of these evils in the Church to provide, that dispensatiōs for plurality of benefices with cure of souls may be prohibited, & that toleration of non-residencie may be restrayned. So shall true religion be better vpheld, and the people more instructed in divine, and

civill duties

4. And for asmuch as excommunication is the heaviest censure for the most grievous offences which the Church doth reteine, yet exercised and inflicted vpon an incredible number of the common people by the subordinate officers of the jurisdiction ecclesiasticall, most cōmonly for very small causes grounded vpon the sole information of a base apparitour, in which case the parties, before they can be discharged, are driven to excessive expence for matters of very small moment, so that the richer break thorough more heynous offences, and escape that censure, by commutation of penance to the great scandall of the Church government, in the abuse of so high a censure, the contempt of the censure it selfe; and grievance of your Majesties poore subjects.

Wherefore your Majesties dutifull commons most humbly beseech your highnes that some due, and fit reformation may be had in the premisses.

Most

Grievances.

To the Kinges most excellent Maiestie.

Most gracious Sovereigne, your Majesties most humble commons assembled in Parliament being moved, as wel out of their dutie and zeale to your Majestie; as out of the sense of iust griefe wherewith your loving subjects are generally through the whole Realme at this tyme possessed, because they perceive their comon & ancient right & libertie to be much declined, & infringed in these late yeares, Doe with all dutie & humilitie present these our iust complaints thereof to your gracious viewe, most instantly craving iustice therein and due redresse. And although it be true, that many of the particulars, whereof we now complaine, were in some use in the late Queenes time, & then not much impugned, because the usage of them, being then more moderate, gave not so great occasion of offence, and consequently not so much cause to inquire into the right and validitie of them. Yet the right being now more thoroughly scanned, by reason of the great mischiefs, and inconveniencies which the subjects have thereby sustained, wee are very confident, that your Maiestie wilbe so farre from thinking it a point of honour, or greatnes to continue any grievance vpon your people, because you found them begun in some of your Predecessors times, as you will rather hold it a work of great glorie to reforme them, since your Maiestie knoweth well, that neither continuance of time, nor errors of men, can or ought to preiudice truth of iustice; and that nothing can be more worthy of so worthy a King, nor

more answerable to the great wisdom; and goodness which abound in you, then to understand the griefes, & redresse the wrongs of so loyall, and well deserving a people. In this confidence (dread soveraigne) we offer these grievances (the particulars whereof are hereunder set downe) to your gracious consideration, and we offer them out of the greatest loyaltie, and dutie that subjects can beare to their Prince. Most humbly and instantly beseeching your Majestie, aswell for justice sake (more then which (as we conceiue) in these Petitions we doe not seek) as also for the better assurance of the state, and generall repose of your faithfull & loving subjects, and for testimonie of your gracious acceptation of their full affections, declared aswell by their joyfull receiuing of your Majesty, at your happy entrance into this kingdom, which you have been often pleased, with favour, to remember; as also by their extraordinarie contributions graunted since vnto you, such as haue been never yeelded to any former Prince, upon the like termes, and occasions, that we may receive to these our complaints your most gracious answer; which we cannot doubt but wilbe such, as may be worthy of your princely selfe, and will give satisfactiō, & great cōfort to all your loyall, and most dutifull loving subjects; who doe, and will ever pray for the happy preservation of your most royall Majestie.

New Im- **T**He policie and constitution of this your positions. kingdom appropriates unto the Kings of this Realme, with the assent of the Parliament, as well the soveraigne power of making lawes, as that of taxing, or imposing upon the subjects goods, or merchandizes. Wherein they haue justly such a proprietie, as may not, without their

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their consent, be altered, or changed. This is the cause, that the people of this Kingdome, as they ever shewed themselves faithfull, and loving to their Kings, and ready to ayde them in all their just occasions, with voluntarie contributions, so have they been ever carefull to preserve their owne liberties and rights, when any thing hath been done to prejudice or impeach the same. And therefore when their Princes occasioned eyther by their warres or their over great bountie, or by any other necessitie, haue, without consent of Parliament, set impositions, eyther within the land, or upon comodities eyther exported, or imported by the Merchants, they haue, in open Parliament, complained of it, in that it was done without their consents. And thereupon never failed to obteyne a speedie, and full redresse without any elaim, made by the Kinges of any power, or prerogative in that point. And though the lawe of proprietie be originall, and carefully preserved by the comon lawes of this Realme, which are as ancient as the kingdome it selfe; yet these famous Kings for the better contentment, and assurance of their loving subjects, agreed, that this old fundamentall right should be further declared, and established by act of Parliament. Wherein it is provided, that no such charges should ever be layd upon the people, without their comon consent, as may appeare by sundry records of former times. Wee therefore your Majesties most humble comons assembled in Parliament following the example of this worthy care of our ancestors, and out of a durie of those for whome we serve, finding that your Majestie without advise or consent of Parliament, hath lately, in time of peace, set both greater impositions, and farre more in number, then any your noble ancestors did ever, in time

of warre, have with all humilitie presumed to present this most iust, and necessarie Petition unto your Ma:
That all impositions set without the assent of Parliam^{ts} may be quite abolished, and taken away, and that your Maiestie in imitatiō likewise of your noble Progenetors, wilbe pleased, that a law may be made during this sessi-
on of Parliament, to declare that all Impositions set, or to be set upō your people their goods or merchandizes, save onely by cōmon consent in Parliament, are, and shalbe void. Wherein your Ma: shal not onely give your subiects good satisfaction in point of their right, but also bring exceeding ioy, and comfort to them which now suffer, partly through the abating of the price of native cōmodities, & partly through the raising of all forraign, to the overthrow of Merchants and shipping, the causing of a generall dearth, & decay of wealth among your people, who wilbe thereby no lesse discouraged, then disabled to supply your Ma: whē occasion shal require it.

Cōmis-
sion ec-
clesiasti-
call.

Whereas by the statute 1. Eliz. cap. 1. in-
titled an Act restoring to the crown the
auncient iurisdicō over the state eccle-
siasticall, &c. power was given to the
Queene, and her successors to constitute,
and make a Commission in cause ecclesi-
asticall, the said Act is found to be incon-
venient, of dangerous extent in divers re-
spects. First, for that it inableth the
making of such a cōmission as wel to any
one subiect borne, as to more. Second-
ly, for that whereas by the intention, and
wordes of the sayd statute, ecclesiasticall
iurisdiction is restored to the crown, and
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highnes, by that statute inabled to give only such power ecclesiasticall to the sayd cōmissioners, yet under colour of some words in that statute, whereby the Cōmissioners are authoris'd to execute their Commission according to the tenour, and effect of your highnes letters patents. And by letters patents grounded thereupon, the sayd Commissioners doe fine, and imprison, and exercise other authoritie not belonging to the ecclesiasticall iurisdiction restored by that statute, which we conceive to be a great wrong to the subiect; And that those Commissioners might as well by colour of those words, if they were so authorized by your highnes letters patēts, fine without stint, and imprison without limitation of time, as also according to will, and discretion, without any rules of law, spirituall or temporall, adiudge and impose utter confiscation of goods, forfeiture of lands, yea, and the taking away of limme and of life it selfe; & this for any matter whatsoever perteyning to spirituall iurisdiction. Which never was, nor could be meant by the makers of that law. Thirdly for that by the said statute the King, and his successors may (howsoever your Maiestie hath been pleased out of your gracious disposition otherwise to order) make, and direct such Commission into all the Counties, and Dioceses, yea into every parish of England, and thereby all causes may be taken from ordinarie iurisdiction of Bishops, Chancellors, and Archdeacons, and lay men solely be inabled to excommunicate, & exercise all other censures spiritual. Fourthly for that every petty offence perteyning to spirituall iurisdiction, is, by colour of the sayd wordes, and letters Patents grounded thereupon, made subiect to excommunication and punishment by that strange and exorbitant power, and commission, whereby the least offenders,

offenders, not cōmitting any thing of any enormous, or high nature may be drawne from the most remote places of the kingdome to London; or York, which, is very grievous, and inconuenient. Fifthly for that limit, touching causes subject to this cōmission, being onely with these words, viz. **Such as pertain to spirituall or ecclesiasticall iurisdiction**; it is very hard to knowe, what matters, or offences are included in that number. And the rather because it is unknown, what ancient canons, or lawes spirituall are in force, & what not: from whence ariseth great incertaintie, and occasion of contention.

And whereas upon the same statute a cōmission ecclesiasticall is made; Therein is grievance apprehended thus. First for that thereby the same men have both spirituall and temporall iurisdiction, and may both force the party by oath to accuse himselfe of an offence, & also inquire thereof by a iurie, and lastly may inflict for the same offence, at the same time, and by one and the same sentence, both a spirituall and temporall punishment. Secondly whereas, upon sentences of deprivation, or other spirituall censures given by force of ordinarie iurisdiction, an appeale lyeth for the partie grieved; that is here excluded by expresse wordes of the cōmission. Also here is to be a tryall by iury, yet no remedy by traverse, nor attainr. Neyther can a man haue any writ of error, though a Iudgement or sentence be given against him, amounting to the taking away of all his goodes, & imprisoning him during life, yea to the adiudging him in the case of Præmunire, whereby his lands are forfeited, and he out of the protection of the lawe. Thirdly, that whereas penal lawes, and offences against the same cannot be determined in other courts, or by other per-

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sons, then by those trusted by Parliament with the execution thereof, yet the execution of many such statutes (diverse whereof were made since 1. Eliz.) are cōmended and cōmitted to these Cōmissioners ecclesiasticall, who are eyther to inflict the punishment cōteyned in the statutes being premunire, and of other high nature, and so to inforce a man upon his own oath to accuse, & expose himself to these punishments, or els to inflict other temporall punishment at their pleasure. And yet besides, and after that done, the partie shalbe subiect in the Courtes mentioned in the Acts, to punishments by the same actes appointed and inflicted: which we think very vnreasonable. Fourthly, that the cōmission giveth authority to inforce men called into question to enter into recognisance not onely for appearance frō time, to time, but also for performance of whatsoever shalbe, by the cōmissioners ordered. And also that it giveth power to enioyne parties defendant, or accused, to pay such fees to ministers of the court, as by the cōmissioners shalbe thought fit.

And touching the execution of the cōmission, it is found greivous these wayes among other. First for that laymen are by the Cōmissioners punished for speaking (otherwise then in iudiciall places, and courses) of the symonie and other misdemeanours of spirituall men, though the thing spoken be true, & the speech tending to the inducing of some condigne punishment. Secondly in that these cōmissioners usually appoint and allot to wemen discontented at, and unwilling to live with their husbands such portions, & allowances for present maintenance, as to them shalbe seeme fit: to the great incouragement of wives to be disobedient, and contemptuous against rheir husbands. Thirdly, in that their

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pursuantes, or other ministers employed in the apprehension of suspected offenders in any things spirituall, & in the searching for any supposed scandalous bookes, vse to breake open mens houses, closers, & deskes, rising all corners, and secret custodies, as in cases of high treason, or suspicion thereof. All which premisses among other things considered, your Majesties most loyal, and dutifull commons, in all humblenes, beseech you, that for the easing of them, aswel from the present grievance, as from the feare, and possibility of greater in tymes future; your highnes would vouchsafe your royall assent, and allowance to, and for the ratifying of the saide Statute and the reducing thereof, and consequently of the saide commission to reasonable, and convenient limits, by some act to be passed in this present session of Parliament.

Proclamation. Amongst many other pointes of happines, & freedome which your Majesties subjects of this kingdome have inioyed under your royall Progenitors, Kings and Queenes of this Realme, there is none which they have accounted more deere, and precious then this, to be guided, and governed by the certaine rule of the law (which giveth both to the head, and members, that which of right belongeth unto them) and not by any vncertaine or arbitrary forme of government. Which, as it hath proceeded from the originall good constitution, and temperature of this estate: so hath it been the principall meanes of upholding the same in such sort, as that their Kings have beene just, beloved, happy & glorious, and the kingdome it selfe peaceable, flourishing

thing and durable so many ages. And the effect, as well
 of the contentment that the subjects of this king-
 dome haue taken in this forme of gouernment, as al-
 so of the love, respect, and durie which they haue,
 by reason of the same, rendred unto their Princes,
 may appeare in this, That they haue, as occasion
 hath required, yeelded more extraordinarie and vo-
 luntary contributions to assist their Kings, than the
 subjects of any other knowne kingdome whatsoeuer.
 Out of this roote hath growen the indubitable right
 of the people of this kingdome: not to be made
 subject to any punishment, that shall extend to their
 liues, landes, bodies, or goodes, other then such, as
 are ordeyned by the common lawes of this land, or the
 statutes made by their common consent in Parlia-
 ment. Nevertheless it is apparant both that
 proclamations haue beene, of late yeares, much more
 frequent, then heretofore, and that they are exten-
 ded, not onely to the libertie, but also to the goods,
 inheritances, and livelihood of men, some of them
 tending to alter some points of the lawe, and make
 anewe. Other some made, shortly after a session
 of Parliament, for matter directly rejected in the same
 session; other appointing punishments to be inflic-
 ted before lawfull triall, and conviction; Some co-
 nveyning penalties in forme of penall statutes: Some
 referring the punishment of offenders to the courts
 of arbitrary discretion, which have layd heauie and
 grievous censures vpon the delinquents: Some,
 as the Proclamation for starch, accompanied with
 Letters commaunding inquirie to be made against
 the transgressors, at the quarter sessions: and some
 vouching

vouching former proclamations to countenance, and warrant the later, as by a catalogue here vnder written more particularly appeareth. By reason whereof there is a generall feare conceived, and spread amongst your Maiesties people, that proclamations will, by degrees, grow vp, and increase to the strength, and nature of lawes. Whereby, not onely that ancient happynes, freedom wilbe much blemished (if not quite taken away) which their ancestors haue so long inioyed: but the same may also (in proces of time) bring a new forme of arbitrary government vpon the Realme. And this their feare is the more increased by occasion aswel of certeyn bookes lately published, which ascribe a greater power to Proclamatiōs then heretofore hath been conceived to belong unto them; as also of the care taken to reduce all the proclamations, made since your Maiesties reigne, into one volume; and to print them in such forme as Acts of Parliament formerly have been, & still are vsed to be: which seemeth to imply a purpose to give them more reputation and more establishment, the heretofore they have had. Wee therefore your Maiesties humble subiects the commons in this Parliament assembled, taking these matters into our considerations, and weighing how much it doth concerne your Maiestie, both in honour and safetie, that such impressions should not be suffered to settle in your subiects mindes, haue thought it to apperteyne to our duties, as well towards your Maiestie; and to those that haue trusted, and sent us to this service, to present unto your Maiesties view these feares, and griefs of your people, & to become humble suiters unto your Maiestie, that henceforth no fine, or forfeiture of goods, or other pecuniary, or corporall punishment may be inflicted upon your subiects

subjects (other than restraint of liberty, which we also humbly beseech may be, but upon urgent necessity, and to continue but till other order may be taken by course of law) vnlesse they shall offend against some law or statute of this realme in force, at the tyme of their offence committed. And for the greater assurance, & comfort of your people, That it will please your Majesty to declare your royall pleasure to that purpose, either by some law to be made in this sessiō of Parliament: or by some such other course (whereof your people may take knowledge) as to your Princely wisdom shall seeme most convenient.

Proclamations importing alterations of some points of the law, and making of new

11. Jan. 1. Jac. f. 47. forbiddeth choosing of Knights, & burgeses bankrupt, or outlawed: and commandeth choise of such, as are not only taxed to subsidies, but also have ordinarily payed, and satisfied the same. f. 59. If returns be made contrary to the proclamation, they are to be rejected, as vnlawfull, and insufficient. f. 60.

24. Aug. 5. Ia. f. 131. That the proclamation shalbe a warrant to any officer, or subject to seise starch, and to dispose, or destroy any stufte &c. and restraineth all men not licenced to make starch. f. 154.

A Proclamation made shortly after Parliament

Parliament for matter directly reiecteth the precedent session.

1. Mar. 2. I. f. 101. A proclamation for building with brick after a bill to that end rejected.

2. Proclamations touching the freehold, and livelihood of men. 16. Septemb. 1. Ia. f. 41. Raising and pulling downe howses authorized, and prohibition to build them againe at any tyme. f. 41. 12. Oct. 5. Ia. f. 160. forbidding building and taking away the materials; and appointing the owners land to be let by other men, at what price they please. f. 161.

4. Proclamations referring punishment to be done by Iustices of peace, Majors, Bailives, Constables, & other Officers; or seisure by persons who have no authoritie to require, heare, and determine of those offences. So it is to be insisted before lawfull triall & conviction.

8. Ian. 2. Ia. f. 72. A Proclamation for folding wooles. 23. Aug. 5. Ia. f. 151. seisure of starch, &c. f. 154.

5. Proclamations penned with penalties in forme of penal Statutes.

4. No. 1. Ia. f. . Paine of confiscation of goods, f. 56. 18. Ian. 2. Ia. f. 72. Ten dayes imprisonment & standing in the pillory, f. 72. Iustices of peace to forfeit

20. pounds if they see not the Proclamation
of folding wooles executed, f. 75.
23. Aug. 5. Ia. f. 151. forfeiture of one moi-
tie of starch &c. seised &c. 154.

6 Punishment of offenders in courts of
arbitrary discretion, as starre chamber.

1. Mar. 2. Ia. f. 102. Proclamation for
building. f. 103. 12. Oct. 5. Ia. 159. Pro-
clam. for building, f. 160. 5. Jul. 6. Ia.
f. 177. Procl. for starch. f. 180. 25. Jul.
6. Ia. f. 180. Procl. for building, f. 181.

7. Proclam. former become Presidents,
and vouched in later Proclam.

18. Jun. 2. Ia. f. 75. avoucheth 5. E. 6. &
4. Eliz. f. 73. 25. Jul. 6. Ia. f. 180. mentio-
neth former Proclam. against buildings, &
explaineth, and qualificieth them. f. 180.

Your Majesties commons in this session of
Parliament assembled, doe cheerefully ac-
knowledge the spring and fountaine of the
publique justice of this state, to be originally
in your Ma: from the benefite therof is con-
veyed, and derived into every member of
this politique body by your Highnes writs.
Amongst which none are more honourable
for the support of the common justice of the
realm, then the writs of prohibition,
habeas corpus, & *de homine replegiādo*:

*Stay of
writes of
prohibiti-
on, &c.*

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which

writs have been ever held, and found to be a chief meanes of reliefe vnto the poore distressed, and oppressed subjects of this kingdome, and can be no inconvenience at all. Seing they are no way conclusive against any man, and doo draw no benefit to the procurers, but rather a fruitless charge, if they be obtained vpon any vnjust ground, or pretence. In the free granting of, & proceeding vpon some of which writs, especially that of prohibition; there hath of late, been observed to be some obstruction: by reason, that vpon the complaints and the importunity of some, who desire the support of inferiour courts, against the principall courts of the common law (wherewith your Majesty hath been greatly troubled) you have taken into your royall consideration the severall extents of the jurisdiction of the sayd severall courts. Since which time the said writs have been more sparingly granted, and with stricter cautions then hitherto hath been accustomed. It is therefore most humbly desired, that it may please your Majestie (whose glory is never more conspicuous, then when the poorest of the commonalty are blessed with the influence of the ancient beames of justice) to require your judges, in the courts of Westminster, to grant the said writs, in cases wherein such writs doe lye, and by law are grantable: And in such sort, as that such persons, whose bodies being eyther committed

mitted to prison, or their causes like to receive great prejudice by proceedings against them, in times of vacation, may not be debarred nor deferred from having the speedy reliefe & benefite of those writs, more then in former times.

For asmuch as the exercise of authoritie over the counties of Gloucester Hereford Wigornie and Salop, by the president, & councill of Wales by way of instructions, vpon pre-text of a statute made in the 34. yeare of the reigne of King Henry the 8. is conceived not to be warranted by that or any other lawe of this Realme of England. And for that in the 2. session of this present parliament, there did a bill pass the house of the Commons, whereby it was declared that the true intent, and meaning of that before mentioned statute, was not thereby to subject these countries to that kind of government by instructions. And yet notwithstanding the inhabitaunts of those Counties are since vtterly discouraged, and in effect, debarred from triall of the right of that kind of jurisdiction over those countries, by the ordinarie course of the common lawes of this land; by reason of Prohibitions, which were heretofore frequently granted (vpon suggestion, that those countries are not part of Wales or of the marches of the same (which is the very point in question) are now become very hard to

4. Shires.

be obteyned, except in cases, where those of that councell doe exceed the instructions set downe to them by your Majestie. As also for that, in cases, where actions have been brought at the common law, whereby that question might haue come to dicision, the plainrifes haue been stopped, sometimes by injunctions out of your Majesties court of Chancery, from their proceedings sometime before, sometime after judgements, and some time also by imprisonment. The precedent of which proceedings doth concern all your Majesties loyall and dutifull subjects of this kingdome, aswell in respect of the stopping of the free course of Iustice: as also, by reason that if that kinde of jurisdiction were at first extended over those 4. counties, and be now still continued without warrant of law: then consequence of this example may, in future times, give countenance to the erecting of like jurisdictions in other places of this Realme. And for asmuch as your Majestie was pleased to commaund all the Iudges to consider of this question, and that they thereupon bestowed very many dayes in hearing the cause argued by learned counsaile on both sides. And in viewing and considering of great numbers of recordes produced before them, concerning that cause: whereby, they have (no doubt) thoroughly informed themselves of the right.

It is therefore the most
humble

humble petition of the commons in this present Parliament assembled, that your most excellent Majestie will also be pleased so commaund, that the Iudges may deliver their opinion upon that so exact, and deliberate hearing, which was had before them, concerning the right of the foresayd jurisdiction over those 4. Countiees by force of that statute. And that the opinion which they shall deliver therein, may be in such sort published, as that all your Majesties subjects whome it may concerne may have meanes to take knowledge thereof. And that your Ma: will vouchsafe to declare it by your most princely pleasure, that any of your Maiesties subjects who may have occasion thereof may trye his, or their right in that point by due, and ordinarie course of the common lawe, cyther by suing out of prohibitions, or any other your Maiesties writs without restraint. And that if the sayd iurisdiction over those 4. Countiees shall appeare to your Maiestie, by the opinion of the Iudges, or otherwise, not to be warranted by law, that then your Maiesty be pleased out of your most princely and gracious favour towards all your loyall, and dutifull subiectes, to order the ceasing of the sayde iurisdiction over those countiees, to the great comfort of the inhabitants of those countiees, and the rest of your Maiesties subiects of all the kingdome.

New drapery.

Complaint was made, in all humble manner, the second session of this present Parliament, of many disorders, outrages, & oppressions committed vpon occasion of letters patents granted to the Duke of Lenox, for the searching, and sealing of stuffs, and manufactures, called by the name of *new vzapetrie*: which patent wee held in all, or the most partes of it, to be questionable, and in many apparantly vnlawfull: and the execution thereof we found stretched by the farmers, and deputies beyond the extent of the sayd letters patents, as appears in the particulars set downe in the said greivance. To which it pleased your Majestie to give this gracious answer, that the validitie of the sayd patent should be left to be judged by the law. And whensoever any abuse arising in the execution thereof should appeare, it should be severely punished. Which was, for that time, to our good satisfaction: yet finding, by divers complaints made now in Parliament, that not only the said letters patents are still in force, and the validity of them undecided by iudgement: but disorders in the execution of them are so farre off from being reformed, that they multiply every day to the grievance of your Majesties subjects. And those of the poorer sort, who exercising these manufactures are subiect to much oppressio, to the great hindrance of some, &

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utter undoing of many as hath appeared in the particularities of the complaints presented unto us. Our humble desire is, that your Ma: will be pleased, according to your former resolution, to give order, that this cause, which hath thus long hung in suspence, be speedily brought to iudgement: and that before all the Iudges, because it concernes all the subjects of the land. And, in the meane time, that the execution of the said letters patents, so farre forth as they concerne the said new draperies, may be suspended till iudgement be given: whereby your subiectes, who doe in all humilitie present this grievance unto your Maieslie may be relieved, & haue no occasion to reiterate their complaints.

Whereas by ancient, and late statutes it hath been enacted, that wines should be retayled at such lowe rates, and prices, as for these 50 yeares last past they could not be afforded. And for redresse thereof it was ordeyned by a statute, in the 5. yeare of the late Queene Elizabeth, that (those former lawes notwithstanding) wines might be folde at such prices, as by Proclamation from time to time to be made by consent of diuers great officers, should be published, and set downe: which proclamation nevertheless, the late Queen, & your most excellent Ma: have been drawn to forbear, upō the earnest sute of certein persons,

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who therein

*License of
Wines.*

therein onely intended their private gaine. By reason whereof, both great summs of money in fines, rentes, and annuall payments have been gotten, and raysed vnto the said persons, and their assignes, and great damage and preiudice hath likewise fallen, and light vpon your people, not onely by inhancing the prices of wines, licencing over many Tavernes, and appointing of vnmeet persons, in vnfit places, to keepe the same: But also by reason that corrupt, mingled, evill, and vnwholesome wines have been vttered, and solde to the great hurt of the health of your Highnes people. One man sometimes ingrossing all the Licences designed for that place: Wherevpon complaint being made to your Maiestie, amongst other grievances of your people, in the second session of this present Parliament, your Highnes was pleased to answer, that your grans in that behalfe were no other, then such as were warrantable by the law. Whereas the grievance was the greater, for that all lawes, concerning the sale of wines, being intended, and conceived to stand, & be repealed, there were nevertheless, by the oversight of them which were trusted in that businesse, casually omitted, and left vnrepealed certaine absolute lawes impossible to be observed: as namely one made in the time of King Edward the first, commanding wines to be sold at 12. pence the sexterne, and one o-

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ther made in the 28. of K. Henry the eight
 prohibiting all persons, vnder penalty, to
 sell any french wines above 8. pence the
 gallon, and other wines, as secks, and sweet
 wines above 12. pence the gallon : and one
 branch of a statute made in the 7. yeare of
 K. Edward the 6. prohibiting men to sell
 any wines by retails in their howses.
 Wherevpon your Maiesty hath been indu-
 ced and drawne to ground new patents of
 dispensation, and to grant the benefite there-
 of vnto the Lord Admirall : whereby the
 like discommodities and inconveniences
 have sithence insued vnto the common-
 wealth as formerly did arise and growe vp-
 on the other repealed lawes, whereof, in
 the former petitions of your subiects exhi-
 bited vnto your Maiesty in the sayd second
 session, your highnes never had any direct,
 and cleare information. May it therefore
 please your most excellent Maiesty at the
 humble request of your commons (who
 have taken into consideration the great
 charges, and expences, which the sayd L.
 Admirall hath been at, in your Maiesties
 service, and have considered likewise the
 present licences, and grants for valuable
 consideration vnto many hundreth of your
 Highnes subiects, which without great
 losse to the sayd grantees, cannot be so
 suddenly made voide) out of your Princely
 wisdom, and goodnes, wherein you have
 professed

professed not to extend, & straine your prerogative royall against the publique good of your people, for the particular gaine of any private persons, To vouchsafe, that from hence forwards, there may no more grante of that nature, be made vnto any of your subiects whomsoever. But that the sayd statute of 5. Elizabeth, for the apprising of wines, to be published by proclamation, at time, and occasion shall require, may be put in execution. And that your Maiesty will likewise vouchsafe to grant your royall assent to a bill of repeale of the sayd obsolete statutes, and all other, wherevpon any such *Nonobstantes*, & dispensations might be grounded vpon. In which statute of repeale proviso shalbe made for the indemnitie of all such, as vnder your Maiesties great seale have already procured licence for such sale of wines.

Alenhouses

Whereas, by the lawes of this your Maiesties realme of England no taxes, aides, or impositions of any kinde whatsoever, ought or can be laid, and imposed vpon your people, or vpon any of their goods, or commodities, but onely by authority and consent of Parliament. Which being vndoubtedly the ancient, and fundamentall law of the land, is yet, for more abundant clearnes expressly declared in sundry acts of Parliament made and enacted in the time of sundry your Maiesties Progenitors, the noblest, & most prudent

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prudent Kings of this Realme. Yur comōs
 with iust grieve doe complaine vnto your
 Maiesty of the late taxe, and imposition laid,
 and imposed yearely vpon such, as are al-
 lowed to keep victualing houses, or sell ale,
 and beere bee retails. Which imposition
 not being taxed by assent of parliament, but
 commanded, and directed onely by letters,
 and instructions, your commons are perswa-
 ded that the same proceeded rather vpon
 misinformation, then by the direction, and
 judgement of your owne most noble & roy-
 all heart. Wherefore your said commons
 knowing the grieve of your people in this
 behalfe, do (according to their duties) in all
 humilitie informe, and signify vnto your
 Maiestie: first, that the said taxation being
 singular, and without example, is in it
 self a President of dangerous consequence,
 and (as your people feare) may easily (in
 time) be extended further, as to badgers of
 corne, makers of malt, drovers of cattel, and
 such like, who, in such sort, are to be li-
 cenced by Iustices of peace, as those persons
 are, upon whom, at this time, this present
 charge and tax is layd. Secondly such how-
 ses, being often times at (the best) the har-
 bours of idlenes, drunkennes, whoredome,
 & all maner of felonies, the licences are now
 (the honestest sort, in most places, refusing
 to vndergo the new charge) rented, & taken
 by

by the looser, and baser sort of people, who have no conscience how they gaine, By reason whereof all manner of vice, and evil behaviour is likely every day to encrease: neyther can the Iustices of peace conveniently prevent the same: for that the persons licenced under the late contribution, affirme, with clamour, that they have a toleration for a yeare, and that such persons are not friends unto the crowne, that seeke to suppress them, and thereby to diminish your highnes revenewes. Thirdly many Iustices of peace, (being sworne to execute their office) which for this particular they conceive to be, that alehouse keepers formerly licenced, are not to be suppressed without iust, and reasonable cause, cannot be satisfied touching their sayd oath, but are much distracted, and perplexed what to doe (the late instructions notwithstanding) against such persons, as otherwise being not knowen to be of evil behaviour, onely refuse to pay this late taxed and imposed some of money. In consideration whereof, your humble commons most instantly beseech your most excellent Maiestie that the former letters, and instructions may be countermaunded, or stayed, and all further directions, and proceedings in that kinde forborne.

Seacole.

Among many resemblances, which are observed to be between naturall and politique bodies, there is none more apt, and naturall

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turall then this, That the diseases of both
 doe not, at one instant, cōmonly seise vp-
 on all partes : but beginning in some one
 part, doe, by tract of time, and by degrees,
 get possession of the whole, unlesse by ap-
 plying of wholesome and proper remedies,
 in due time, they be prevented. Which as
 it is in many things very visible • so it is in
 nothing more apparant, then in this matter
 of impositions : which beginning at the
 firste eyther with forreigne commodities
 brought in, or such of our owne, as were
 transported, is now extended to those cō-
 modities, which growing in this kingdome,
 are not transported, but uttered to the sub-
 jects of the same : for prooofe whereof, wee
 doe, with all humilitie present unto your
 Ma: view the late imposition of 12. pence
 the chalder of seacole rising in Blith & Sun-
 derland, not by vertue of any contract, or
 grant (as in the coales of New castle) but
 under a meer pretext of your Majesties most
 royall prerogative : which imposition is
 not onely grievous for the present (especial-
 ly to those of the poorer sort, the price of
 whose onely, and most necessarie fewell is
 thereby, to their great grieve, inhaunced)
 but dangerous also for the future ; con-
 sidering that the reason of this president
 may be extended to all the commodities of
 this kingdome. May it therefore please
 your most excellent Maiestie, who is the
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